

1-1 By: Aycocock, et al. H.B. No. 1842
 1-2 (Senate Sponsor - Taylor of Galveston)
 1-3 (In the Senate - Received from the House May 14, 2015;
 1-4 May 15, 2015, read first time and referred to Committee on
 1-5 Education; May 22, 2015, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 11, Nays 0;
 1-7 May 22, 2015, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Taylor of Galveston	X			
1-10 Lucio	X			
1-11 Bettencourt	X			
1-12 Campbell	X			
1-13 Garcia	X			
1-14 Huffines	X			
1-15 Kolkhorst	X			
1-16 Rodríguez	X			
1-17 Seliger	X			
1-18 Taylor of Collin	X			
1-19 West	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 1842 By: Taylor of Galveston

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to public school accountability, including the expansion
 1-25 of or renewal of the charter of an open-enrollment charter school
 1-26 and the intervention in and sanction of a public school that has
 1-27 received an academically unsuccessful performance rating for at
 1-28 least two consecutive school years.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Subchapter C, Chapter 11, Education Code, is
 1-31 amended by adding Section 11.0511 to read as follows:

1-32 Sec. 11.0511. STUDENT TRUSTEE FOR CERTAIN DISTRICTS. (a)
 1-33 This section applies only to a school district described by Section
 1-34 11.065(a) in which a school in the district is operating under a
 1-35 campus turnaround plan.

1-36 (b) Notwithstanding Section 11.051(b), the board of
 1-37 trustees of a school district may adopt a resolution establishing
 1-38 as a nonvoting member a student trustee position as provided by this
 1-39 section.

1-40 (c) For a student trustee position under this section, the
 1-41 board shall adopt a policy that establishes:

- 1-42 (1) the term of the student trustee position;
- 1-43 (2) the procedures for selecting a student trustee,
 1-44 including the method for filling a vacancy; and
- 1-45 (3) the procedures for removal of a student trustee.

1-46 (d) A student is eligible to serve as a student trustee if
 1-47 the student is enrolled in the student's junior or senior year of
 1-48 high school and is considered in good standing academically and
 1-49 under the district code of conduct.

1-50 (e) The board shall adopt a policy regarding student
 1-51 trustee:

- 1-52 (1) participation, other than voting, in board
 1-53 deliberations, subject to Subsection (f); and
- 1-54 (2) access to information, documents, and records,
 1-55 consistent with the Family Educational Rights and Privacy Act of
 1-56 1974 (20 U.S.C. Section 1232g).

1-57 (f) A student trustee may not participate in a closed
 1-58 session of a board meeting in which any issue related to a personnel
 1-59 matter is considered.

1-60 (g) A student trustee is not entitled to receive

2-1 compensation or reimbursement of the student trustee's expenses for
2-2 services on the board.

2-3 (h) A school district may grant to a student who fulfills
2-4 the requirements of service of a student trustee not more than one
2-5 academic course credit in a subject area determined appropriate by
2-6 the district.

2-7 SECTION 2. Section 12.101(b-4), Education Code, is amended
2-8 to read as follows:

2-9 (b-4) Notwithstanding Section 12.114, approval of the
2-10 commissioner under that section is not required for establishment
2-11 of a new open-enrollment charter school campus if the requirements
2-12 of this subsection [~~including the absence of commissioner~~
2-13 ~~disapproval under Subdivision (3),~~] are satisfied. A charter
2-14 holder having an accreditation status of accredited and at least 50
2-15 percent of its student population in grades assessed under
2-16 Subchapter B, Chapter 39, or at least 50 percent of the students in
2-17 the grades assessed having been enrolled in the school for at least
2-18 three school years may establish one or more new campuses under an
2-19 existing charter held by the charter holder if:

2-20 (1) the charter holder is currently evaluated under
2-21 the standard accountability procedures for evaluation under
2-22 Chapter 39 and received a district rating in the highest or second
2-23 highest performance rating category under Subchapter C, Chapter 39,
2-24 for three of the last five years with at least 75 percent of the
2-25 campuses rated under the charter also receiving a rating in the
2-26 highest or second highest performance rating category and with no
2-27 campus with a rating in the lowest performance rating category in
2-28 the most recent ratings;

2-29 (2) the charter holder provides written notice to the
2-30 commissioner of the establishment of any campus under this
2-31 subsection in the time, manner, and form provided by rule of the
2-32 commissioner; and

2-33 (3) not later than the 60th day after the date the
2-34 charter holder provides written notice under Subdivision (2), the
2-35 commissioner does not provide written notice to the charter holder
2-36 that the commissioner has determined that the charter holder does
2-37 not satisfy the requirements of this section [~~of disapproval of a~~
2-38 ~~new campus under this section~~].

2-39 SECTION 3. The heading to Section 12.116, Education Code,
2-40 is amended to read as follows:

2-41 Sec. 12.116. PROCEDURE FOR REVOCATION, ~~[OR]~~ MODIFICATION OF
2-42 GOVERNANCE, OR DENIAL OF RENEWAL.

2-43 SECTION 4. Section 12.116, Education Code, is amended by
2-44 amending Subsection (a) and adding Subsection (a-1) to read as
2-45 follows:

2-46 (a) The commissioner shall adopt an informal procedure to be
2-47 used for:

2-48 (1) revoking the charter of an open-enrollment charter
2-49 school or for reconstituting the governing body of the charter
2-50 holder as authorized by Section 12.115; and

2-51 (2) denying the renewal of a charter of an
2-52 open-enrollment charter school as authorized by Section
2-53 12.1141(c).

2-54 (a-1) The procedure adopted under Subsection (a) for the
2-55 denial of renewal of a charter under Section 12.1141(c) or the
2-56 revocation of a charter or reconstitution of a governing body of a
2-57 charter holder under Section 12.115(a) must allow representatives
2-58 of the charter holder to meet with the commissioner to discuss the
2-59 commissioner's decision and must allow the charter holder to submit
2-60 additional information to the commissioner relating to the
2-61 commissioner's decision. In a final decision issued by the
2-62 commissioner, the commissioner shall provide a written response to
2-63 any information the charter holder submits under this subsection.

2-64 SECTION 5. Section 39.106, Education Code, is amended by
2-65 amending Subsection (a) and adding Subsection (a-1) to read as
2-66 follows:

2-67 (a) If a campus performance is below any standard under
2-68 Section 39.054(e), the commissioner shall assign a campus
2-69 intervention team. A campus intervention team shall:

3-1 (1) conduct, with the involvement and advice of the
3-2 school community partnership team, if applicable:

3-3 (A) a targeted on-site needs assessment relevant
3-4 to an area of insufficient performance of the campus as provided by
3-5 Subsection (b); or

3-6 (B) if the commissioner determines necessary, a
3-7 comprehensive on-site needs assessment, using the procedures
3-8 provided by Subsection (b);

3-9 (2) recommend appropriate actions as provided by
3-10 Subsection (c);

3-11 (3) assist in the development of a targeted
3-12 improvement plan;

3-13 (4) conduct a public meeting at the campus with the
3-14 campus principal, the members of the campus-level planning and
3-15 decision-making committee established under Section 11.251,
3-16 parents of students attending the campus, and community members
3-17 residing in the district to review the campus performance rating
3-18 and solicit input for the development of the targeted improvement
3-19 plan;

3-20 (5) assist the campus in submitting the targeted
3-21 improvement plan to the board of trustees for approval and
3-22 presenting the plan in a public hearing as provided by Subsection
3-23 (e-1); and

3-24 (6) ~~(5)~~ assist the commissioner in monitoring the
3-25 progress of the campus in implementing the targeted improvement
3-26 plan.

3-27 (a-1) The campus intervention team must provide written
3-28 notice of the public meeting required by Subsection (a)(4) to the
3-29 parents of students attending the campus and post notice of the
3-30 meeting on the Internet website of the campus. The notice must
3-31 include the date, time, and place of the meeting.

3-32 SECTION 6. The heading to Section 39.107, Education Code,
3-33 is amended to read as follows:

3-34 Sec. 39.107. CAMPUS TURNAROUND PLAN, BOARD OF MANAGERS
3-35 [RECONSTITUTION, REPURPOSING], ALTERNATIVE MANAGEMENT, AND
3-36 CLOSURE.

3-37 SECTION 7. Section 39.107, Education Code, is amended by
3-38 amending Subsections (a), (a-1), (b), (b-2), (d), (e), (e-1),
3-39 (e-2), (f), and (g) and adding Subsections (a-2), (b-3), (b-4),
3-40 (b-5), (b-6), (b-7), (b-8), (b-9), (b-10), (e-4), (e-5), (e-6),
3-41 (g-1), and (g-2) to read as follows:

3-42 (a) After a campus has been identified as unacceptable for
3-43 two consecutive school years, the commissioner shall order the
3-44 campus to prepare and submit a campus turnaround plan [the
3-45 reconstitution of the campus]. The commissioner shall by rule
3-46 establish procedures governing the time and manner in which the
3-47 campus must submit the campus turnaround plan.

3-48 (a-1) ~~A [In reconstituting a campus, a]~~ campus intervention
3-49 team shall assist the campus in:

3-50 (1) developing an updated targeted improvement plan,
3-51 including a campus turnaround plan to be implemented by the campus;

3-52 (2) submitting the updated targeted improvement plan
3-53 to the board of trustees of the school district for approval and
3-54 presenting the plan in a public hearing as provided by Section
3-55 39.106(e-1);

3-56 (3) obtaining approval of the updated plan from the
3-57 commissioner; and

3-58 (4) executing the plan on approval by the
3-59 commissioner.

3-60 (a-2) Before a campus turnaround plan is prepared and
3-61 submitted for approval to the board of trustees of the school
3-62 district, the district, in consultation with the campus
3-63 intervention team, shall:

3-64 (1) provide notice to parents, the community, and
3-65 stakeholders that the campus has received an academically
3-66 unacceptable performance rating for two consecutive years and will
3-67 be required to submit a campus turnaround plan; and

3-68 (2) request assistance from parents, the community,
3-69 and stakeholders in developing the campus turnaround plan.

4-1 (b) The school district, in consultation with the campus
 4-2 intervention team, shall prepare the campus turnaround plan and
 4-3 allow parents, the community, and stakeholders an opportunity to
 4-4 review the plan before it is submitted for approval to the board of
 4-5 trustees of the school district. The plan must include details on
 4-6 the method for restructuring, reforming, or reconstituting the
 4-7 campus. If the district determines that granting a district
 4-8 charter under Section 12.0522 is appropriate for the campus, the
 4-9 campus turnaround plan must provide information on the
 4-10 implementation of the district charter. The plan must assist the
 4-11 campus in implementing procedures to satisfy all performance
 4-12 standards required under Section 39.054(e) [decide which educators
 4-13 may be retained at that campus. A principal who has been employed
 4-14 by the campus in that capacity during the full period described by
 4-15 Subsection (a) may not be retained at that campus unless the campus
 4-16 intervention team determines that retention of the principal would
 4-17 be more beneficial to the student achievement and campus stability
 4-18 than removal].

4-19 (b-2) A campus turnaround plan must include:

4-20 (1) a detailed description of the academic programs to
 4-21 be offered at the campus, including instructional methods, length
 4-22 of school day and school year, academic credit and promotion
 4-23 criteria, and programs to serve special student populations;

4-24 (2) the term of the charter, if a district charter is
 4-25 to be granted for the campus under Section 12.0522;

4-26 (3) written comments from the campus-level committee
 4-27 established under Section 11.251, if applicable, parents, and
 4-28 teachers at the campus; and

4-29 (4) a detailed description of the budget, staffing,
 4-30 and financial resources required to implement the plan, including
 4-31 any supplemental resources to be provided by the district or other
 4-32 identified sources [For each year that a campus is considered to
 4-33 have an unacceptable performance rating, a campus intervention team
 4-34 shall:

4-35 [(1) assist in updating the targeted improvement plan
 4-36 to identify and analyze areas of growth and areas that require
 4-37 improvement;

4-38 [(2) submit the updated plan to:

4-39 [(A) the board of trustees of the school
 4-40 district; and

4-41 [(B) the parents of campus students; and

4-42 [(3) assist in submitting the updated plan to the
 4-43 commissioner for approval].

4-44 (b-3) A school district may:

4-45 (1) request that a regional education service center
 4-46 provide assistance in the development and implementation of a
 4-47 campus turnaround plan; or

4-48 (2) partner with an institution of higher education to
 4-49 develop and implement a campus turnaround plan.

4-50 (b-4) The updated targeted improvement plan submitted to
 4-51 the board of trustees of a school district under Subsection (a-1)
 4-52 must include all plans and details that are required to execute the
 4-53 campus turnaround plan without any additional action or approval by
 4-54 the board of trustees.

4-55 (b-5) A campus turnaround plan developed under this section
 4-56 must take effect during the school year following the second
 4-57 consecutive school year that the campus has received an
 4-58 academically unacceptable performance rating.

4-59 (b-6) Following approval of a campus turnaround plan by the
 4-60 commissioner, the school district, in consultation with the campus
 4-61 intervention team, may take any actions needed to prepare for the
 4-62 implementation of the plan.

4-63 (b-7) If a campus for which a campus turnaround plan has
 4-64 been ordered under Subsection (a) receives an academically
 4-65 acceptable performance rating for the school year following the
 4-66 order, the board of trustees may:

4-67 (1) implement the campus turnaround plan;

4-68 (2) implement a modified version of the campus
 4-69 turnaround plan; or

5-1 (3) withdraw the campus turnaround plan.

5-2 (b-8) A school district required to implement a campus
5-3 turnaround plan may modify the plan if the campus receives an
5-4 academically acceptable performance rating for two consecutive
5-5 school years following the implementation of the plan.

5-6 (b-9) Section 12.0522(b) does not apply to a district
5-7 charter approved by the commissioner under this section. A
5-8 district charter approved under this section may be renewed or
5-9 continue in effect after the campus is no longer subject to an order
5-10 under Subsection (a).

5-11 (b-10) The commissioner shall adopt rules governing the
5-12 procedures for an open-enrollment charter school campus that is
5-13 subject to an order issued under Subsection (a). An
5-14 open-enrollment charter school must revise the school's charter in
5-15 accordance with Section 12.114 in the campus turnaround plan.
5-16 Nothing in this section may be construed to modify any provision of
5-17 Subchapter D, Chapter 12, relating to the expiration, nonrenewal,
5-18 revocation, or modification of the governance of an open-enrollment
5-19 charter school. The governing board of the open-enrollment charter
5-20 school shall perform the duties of a board of trustees of a school
5-21 district under this section.

5-22 (d) The commissioner may approve a campus turnaround plan
5-23 only if the commissioner determines that the campus will satisfy
5-24 all student performance standards required under Section 39.054(e)
5-25 not later than the second year the campus receives a performance
5-26 rating following the implementation of the campus turnaround plan.
5-27 If the commissioner does not make this determination [~~determines~~
5-28 ~~that the campus is not fully implementing the updated targeted~~
5-29 ~~improvement plan or if the students enrolled at the campus fail to~~
5-30 ~~demonstrate substantial improvement in the areas targeted by the~~
5-31 ~~updated plan], the commissioner shall [may] order:~~

5-32 (1) appointment of a board of managers to govern the
5-33 district as provided by Section 39.112(b) [~~repurposing of the~~
5-34 ~~campus under this section];~~

5-35 (2) alternative management of the campus under this
5-36 section; or

5-37 (3) closure of the campus.

5-38 (e) If a campus is considered to have an unacceptable
5-39 performance rating for three consecutive school years after the
5-40 campus is ordered to submit a campus turnaround plan
5-41 [~~reconstituted~~] under Subsection (a), the commissioner, subject to
5-42 Subsection [~~(e-1) or~~] (e-2), shall order:

5-43 (1) appointment of a board of managers to govern the
5-44 district as provided by Section 39.112(b) [~~repurposing of the~~
5-45 ~~campus under this section]; or~~

5-46 (2) [~~alternative management of the campus under this~~
5-47 ~~section; or~~

5-48 [~~(3)~~] closure of the campus.

5-49 (e-1) If the commissioner orders the closure of a campus
5-50 under this section, that campus may be repurposed to serve students
5-51 at that campus location only if the commissioner finds that the
5-52 repurposed campus offers a distinctly different academic program
5-53 and serves a majority of grade levels at the repurposed campus not
5-54 served at the original campus and approves a new campus
5-55 identification number for the campus. The majority of students
5-56 assigned to a campus that has been closed and repurposed may not
5-57 have attended that campus in the previous school year. Any student
5-58 assigned to a campus that has been closed must be allowed to
5-59 transfer to any other campus in the district that serves that
5-60 student's grade level and on request must be provided
5-61 transportation to the other campus. The commissioner may grant an
5-62 exemption allowing students assigned to a closed campus to attend
5-63 the repurposed campus if there is no other campus in the district at
5-64 which the students may enroll [~~The commissioner may waive the~~
5-65 ~~requirement to enter an order under Subsection (e) for not more than~~
5-66 ~~one school year if the commissioner determines that, on the basis of~~
5-67 ~~significant improvement in student performance over the preceding~~
5-68 ~~two school years, the campus is likely to be assigned an acceptable~~
5-69 ~~performance rating for the following school year].~~

6-1 (e-2) For purposes of this subsection, "parent" has the
 6-2 meaning assigned by Section 12.051. If the commissioner is
 6-3 presented, in the time and manner specified by commissioner rule, a
 6-4 written petition signed by the parents of a majority of the students
 6-5 enrolled at a campus to which Subsection (e) applies, specifying
 6-6 the action described by Subsection (e)(1) or [7] (2)[, or (3)] that
 6-7 the parents request the commissioner to order, the commissioner
 6-8 shall, except as otherwise authorized by this subsection, order the
 6-9 specific action requested. If the board of trustees of the school
 6-10 district in which the campus is located presents to the
 6-11 commissioner, in the time and manner specified by commissioner
 6-12 rule, a written request that the commissioner order specific action
 6-13 authorized under Subsection (e) other than the specific action
 6-14 requested in the parents' petition and a written explanation of the
 6-15 basis for the board's request, the commissioner may order the
 6-16 action requested by the board of trustees.

6-17 (e-4) A board of managers appointed by the commissioner
 6-18 under this section is required to take appropriate actions to
 6-19 resolve the conditions that caused a campus to be subject to an
 6-20 order under Subsection (a), including amending the district's
 6-21 budget, reassigning staff, or relocating academic programs.

6-22 (e-5) The commissioner may authorize payment of a board of
 6-23 managers appointed under this section from agency funds.

6-24 (e-6) The commissioner may at any time replace a member of a
 6-25 board of managers appointed under this section.

6-26 (f) Notwithstanding Section 39.112(e), the commissioner may
 6-27 remove a board of managers appointed to govern a district under this
 6-28 section only if the campus that was the basis for the appointment of
 6-29 the board of managers receives an academically acceptable
 6-30 performance rating for two consecutive school years. [If the
 6-31 commissioner orders repurposing of a campus, the school district
 6-32 shall develop a comprehensive plan for repurposing the campus and
 6-33 submit the plan to the board of trustees for approval, using the
 6-34 procedures described by Section 39.106(e-1), and to the
 6-35 commissioner for approval. The plan must include a description of a
 6-36 rigorous and relevant academic program for the campus. The plan may
 6-37 include various instructional models. The commissioner may not
 6-38 approve the repurposing of a campus unless:

6-39 [(1) ~~all students in the assigned attendance zone of~~
 6-40 ~~the campus in the school year immediately preceding the repurposing~~
 6-41 ~~of the campus are provided with the opportunity to enroll in and are~~
 6-42 ~~provided transportation on request to another campus, unless the~~
 6-43 ~~commissioner grants an exception because there is no other campus~~
 6-44 ~~in the district in which the students may enroll,~~

6-45 [(2) ~~the principal is not retained at the campus,~~
 6-46 ~~unless the commissioner determines that students enrolled at the~~
 6-47 ~~campus have demonstrated significant academic improvement, and~~

6-48 [(3) ~~teachers employed at the campus in the school~~
 6-49 ~~year immediately preceding the repurposing of the campus are not~~
 6-50 ~~retained at the campus, unless the commissioner or the~~
 6-51 ~~commissioner's designee grants an exception, at the request of a~~
 6-52 ~~school district, for:~~

6-53 [(A) ~~a teacher who provides instruction in a~~
 6-54 ~~subject other than a subject for which an assessment instrument is~~
 6-55 ~~administered under Section 39.023(a) or (c) who demonstrates to the~~
 6-56 ~~commissioner satisfactory performance, or~~

6-57 [(B) ~~a teacher who provides instruction in a~~
 6-58 ~~subject for which an assessment instrument is administered under~~
 6-59 ~~Section 39.023(a) or (c) if the district demonstrates that the~~
 6-60 ~~students of the teacher demonstrated satisfactory performance or~~
 6-61 ~~improved academic growth on that assessment instrument.]~~

6-62 (g) Following the removal of a board of managers under
 6-63 Subsection (f), or at the request of a managing entity appointed
 6-64 under Subsection (d) to oversee the implementation of alternative
 6-65 management, the commissioner may appoint a conservator for the
 6-66 district to ensure district-level support for low-performing
 6-67 campuses and to oversee the implementation of the updated targeted
 6-68 improvement plan [If an educator is not retained under Subsection
 6-69 (f), the educator may be assigned to another position in the

7-1 ~~district].~~

7-2 (g-1) If the commissioner orders alternative management of
 7-3 a campus under Subsection (d)(2), the school district shall execute
 7-4 a contract with a managing entity. The terms of the contract must
 7-5 be approved by the commissioner.

7-6 (g-2) Subject to Subsection (e), at the end of the contract
 7-7 term with a managing entity or the cancellation of a contract with a
 7-8 managing entity, the board of trustees of the school district shall
 7-9 resume management of the campus.

7-10 SECTION 8. Subchapter E, Chapter 39, Education Code, is
 7-11 amended by adding Section 39.1071 to read as follows:

7-12 Sec. 39.1071. TRANSITIONAL INTERVENTIONS AND SANCTIONS.

7-13 (a) For a campus that received an academically unacceptable
 7-14 performance rating for the 2013-2014, 2014-2015, and 2015-2016
 7-15 school years, the commissioner may apply the interventions and
 7-16 sanctions authorized by this chapter as this chapter existed on
 7-17 January 1, 2015, to the campus.

7-18 (b) If a campus described under Subsection (a) receives an
 7-19 academically unacceptable performance rating for the 2016-2017 and
 7-20 2017-2018 school years, the commissioner shall apply the
 7-21 interventions and sanctions authorized by Section 39.107(e) to the
 7-22 campus.

7-23 (c) For a campus that received an academically acceptable
 7-24 performance rating for the 2013-2014 school year and an
 7-25 academically unacceptable performance rating for the 2014-2015 and
 7-26 2015-2016 school years, the commissioner shall apply the
 7-27 interventions and sanctions authorized by Section 39.107(a) to the
 7-28 campus.

7-29 (d) If a campus described under Subsection (c) receives an
 7-30 academically unacceptable performance rating for the 2016-2017,
 7-31 2017-2018, and 2018-2019 school years, the commissioner shall apply
 7-32 the interventions and sanctions authorized by Section 39.107(e) to
 7-33 the campus.

7-34 (e) The commissioner may adopt rules as necessary to
 7-35 implement this section.

7-36 (f) This section expires September 1, 2020.

7-37 SECTION 9. Section 39.112, Education Code, is amended by
 7-38 adding Subsections (d-1), (d-2), and (g) and amending Subsection
 7-39 (e) to read as follows:

7-40 (d-1) The board of managers appointed by the commissioner
 7-41 must, if possible, include community leaders, business
 7-42 representatives who have expertise in leadership, and individuals
 7-43 who have knowledge or expertise in the field of education.

7-44 (d-2) The commissioner must provide each individual
 7-45 appointed to a board of managers with training in effective
 7-46 leadership strategies.

7-47 (e) A board of managers shall, during the period of the
 7-48 appointment, order the election of members of the board of trustees
 7-49 of the district in accordance with applicable provisions of law.
 7-50 Except as provided by this subsection, the members of the board of
 7-51 trustees do not assume any powers or duties after the election until
 7-52 the appointment of the board of managers expires. Not [At the
 7-53 direction of the commissioner but not] later than the second
 7-54 anniversary of the date the board of managers of a district was
 7-55 appointed, the commissioner shall notify the board of managers and
 7-56 the board of trustees of the date on which the appointment of the
 7-57 board of managers will expire [shall order an election of members
 7-58 of the district board of trustees. The election must be held on a
 7-59 uniform election date on which an election of district trustees may
 7-60 be held under Section 41.001, Election Code, that is at least 180
 7-61 days after the date the election was ordered]. Following each of
 7-62 the last three years of the period of the appointment, one-third of
 7-63 the members of the board of managers shall be replaced by the number
 7-64 of members of the school district board of trustees who were elected
 7-65 at an election ordered under this subsection that constitutes, as
 7-66 closely as possible, one-third of the membership of the board of
 7-67 trustees. On the expiration of the appointment of the board of
 7-68 managers [qualification of members for office], the board of
 7-69 trustees assumes all of the powers and duties assigned to a board of

8-1 trustees by law, rule, or regulation.

8-2 (g) Following the expiration of the period of appointment of
8-3 a board of managers for a district, the commissioner shall provide
8-4 training in effective leadership strategies to the board of
8-5 trustees of the school district.

8-6 SECTION 10. Section 39.114, Education Code, is amended to
8-7 read as follows:

8-8 Sec. 39.114. IMMUNITY FROM CIVIL LIABILITY. An employee,
8-9 volunteer, or contractor acting on behalf of the commissioner under
8-10 this subchapter, or a member of a board of managers appointed by the
8-11 commissioner under this subchapter, is immune from civil liability
8-12 to the same extent as a professional employee of a school district
8-13 under Section 22.051.

8-14 SECTION 11. Section 39.106(f), Education Code, is repealed.

8-15 SECTION 12. Not later than December 1, 2018, the
8-16 Legislative Budget Board shall publish a report evaluating the
8-17 implementation of Section 39.107, Education Code, as amended by
8-18 this Act, including an analysis of whether the changes in law made
8-19 by this Act result in improvements to school performance and
8-20 student performance. The Legislative Budget Board may contract with
8-21 another entity for the purpose of producing the evaluation required
8-22 by this section.

8-23 SECTION 13. This Act applies beginning with the 2015-2016
8-24 school year.

8-25 SECTION 14. This Act takes effect immediately if it
8-26 receives a vote of two-thirds of all the members elected to each
8-27 house, as provided by Section 39, Article III, Texas Constitution.
8-28 If this Act does not receive the vote necessary for immediate
8-29 effect, this Act takes effect September 1, 2015.

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